

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 ANGEL VAZQUEZ, :
 Plaintiff, :
 :
 - against - :
 :
 CLASSIC CRUISERS, et al., :
 :
 Defendants. :
 ----- X

VICTOR MARRERO, United States District Judge.

Counsel for defendants, on behalf of the parties, having notified the Court, by letter dated February 22, 2008, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within thirty days of the

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07 Civ. 6239 (VM)
<u>CONDITIONAL</u>
<u>ORDER OF DISCONTINUANCE</u>

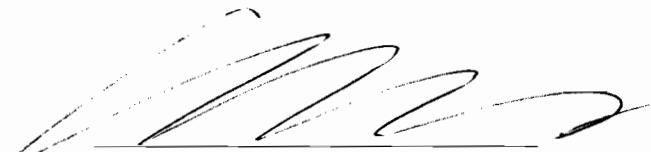
plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court schedule in this action are cancelled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
27 February 2008



VICTOR MARRERO
U.S.D.J.

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February 22, 2008

Magistrate Judge Francis
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: VAZQUEZ v. CLASSIC CRUISERS, et al.
Our File No.: LA-2007-9
Federal Court No.: 07 CIV 6239 (VM)(JCF)

Dear Judge Francis:

Please be advised that this case settled on February 15, 2008 during plaintiff's deposition for \$6,500. As such, the conference scheduled for March 14, 2008 at 11 am can be canceled.

We will forward the stipulation of discontinuance upon receipt.

Thank you for your time and attention regarding this matter.

Very truly yours,

Matthew P. Levy

MPL/rm
cc. THE YANKOWITZ LAW FIRM, P.C.
 175 East Shore Road
 Great Neck, NY 11023

Hon. Victor Marrero
United States District Judge
500 Pearl Street
New York, NY 10007